

5.05.400 HOUSING PROGRAM STRATEGY

To guide future residential growth, the Town has identified several housing goals, policies and implementation programs, which together will allow for and encourage the development necessary to meet the 2007 through 2014 need for an additional 65 housing units.

5.05.410 HOUSING UNIT SOURCES

In general, the regional housing need allocation (RHNA) for the Town of Colma will be met through private construction, the provision of density bonuses to qualifying developments, and inclusionary housing requirements. However, in addition to private construction, unit rehabilitation, preservation and affordability may also be provided through the development of second units, the development of subsidized units, participation in home sharing programs, and the rehabilitation and conservation of existing housing stock. A brief discussion of the role each of these will play in meeting the Town's housing need is provided in the following section.

5.05.411 *Private Construction*

The majority of new housing expected to be built in Colma within the planning period is likely to be the result of private construction activity. It is anticipated that there will be a continued interest in development in the vicinity of the two BART stations adjacent to Colma, increasing the likelihood that housing project goals can be reached. Additionally, higher density developments are becoming favored in San Mateo County because of its transportation and climate change benefits.

5.05.412 *Second Units*

The Town currently allows second dwelling units on all residential lots except in the Sterling Park neighborhood. Second units are not permitted in Sterling Park because such development would increase the density of this single-family residential area (Sterling Park's density is already higher than most suburban residential neighborhoods at 13 units per gross acre). Additional reasons for not allowing second units in Sterling Park include the constraint of Sterling Park's small minimum lot size (3,300 square feet),

compliance with the neighborhood's expectation that only single dwellings will be constructed on vacant or underutilized lots in the neighborhood, a need to prevent overcrowded use of the neighborhood's streets which may constrain access by emergency vehicles, and the existing high demand for on-street parking spaces throughout the neighborhood.

5.05.413 *Subsidized Units*

Existing subsidized housing units within Colma include 18 units developed by the Town with monies from the Town's general fund reserved for senior tenants. Additionally, the Town subsidized one low-income housing unit within a multi-tenant complex. There are no subsidized multi-family rental units at risk in Colma that receive governmental assistance under any of the applicable federal, state and local programs.

5.05.414 *Home Sharing*

An additional method of providing affordable housing is home sharing. Home sharing can be facilitated through the provision of information, referral and matching services. Home sharing may be promoted through occasional announcements in the Town's monthly newsletter. The Daly City Community Service Center also has a home sharing program as do some nonprofit housing advocacy groups working in the County.

5.05.415 *Density Bonuses*

State law currently permits density bonuses as a way to facilitate the provision of affordable dwelling units. Density bonus incentives are offered to Colma developers who provide inclusionary affordable units in multi-unit residential developments that qualify under the Town's municipal code. Consistent with Government Code Section 69515 et seq., the developer of a proposed housing project of at least five units must provide housing units affordable to income-qualified households to qualify for a density bonus, concessions or other incentives. The Town's existing code complies with current State law.

5.05.416 *Rehabilitation and Conservation*

The Town promotes rehabilitation and conservation of residential properties through several mechanisms, including participation in the “Rebuilding Together Peninsula” program and promotion of a roommate and home sharing referral program for the elderly.

The R-S residential zoning district, applicable to the Sterling Park neighborhood, serves to conserve the homes in the Town’s largest residential neighborhood. This ordinance, as well as street improvements undertaken by the Town to increase street beautification, has encouraged private property improvements in the neighborhood. Additionally, the Town continues to actively pursue compliance by property owners on laws related to property maintenance, which can help to promote rehabilitation of existing housing units.

5.05.417 *Housing Repair Grant Program*

In 2002, the Town established a Minor Housing Repair Grant Program concurrent with other neighborhood beautification efforts undertaken by the Town at that time. The program provided grants of up to \$1,000 per dwelling unit for minor home repairs such as repair of unsafe walkways and porches, installation of insulation and dual-pane windows, and upgrades and retrofitting for disabled access. While this program expired in December 2003, the Town will be studying the feasibility and effectiveness of reinvesting in a similar program to continue to aid residents in housing repair and rehabilitation.

5.05.418 *Special Needs Housing*

The Town of Colma facilitates and encourages the provision of housing services for special needs populations, including the disabled, and in 2007 adopted a Reasonable Accommodations Ordinance which establishes a procedure by which residents may apply for reasonable accommodations and equal access to housing.

Additionally, pursuant to state law, Colma currently permits licensed community care facilities serving six or fewer persons, to be established by right in all residential zoning districts, and eliminated the definition of

“family” in the Zoning Code. Colma is developing standards to facilitate the development of larger community care facilities and transitional housing.

5.05.419 *Inclusionary Housing*

In December 2005, the Town adopted an Inclusionary Zoning Ordinance, which requires residential developments with five or more units dedicate at least 20% of the units as affordable, inclusionary units. This ordinance was adopted to further the goals of meeting regional housing needs requirements. The ordinance also allows for developers to pay in-lieu fees to fund affordable housing projects elsewhere in Town through establishment of a Housing Trust Fund.

Developers including affordable units within their project are also allowed a density bonus of 20%, meaning that they can construct 20% more units than the underlying zoning would normally permit.

Inclusionary owner-occupied units have deed restrictions that ensure their ongoing affordability for 45 years.

As discussed in 5.05.327, the 2009 Los Angeles appellate court case *Palmer v. City of Los Angeles* has brought into question the Town’s ability to require that a percentage of a residential rental development project’s units be affordable. Program 3.2 requires that, within one year of Housing Element adoption, the Town suspend and review or repeal the existing Inclusionary Housing Ordinance.